From: hbennion@es.com@inetgw

To: Microsoft ATR

Date: 1/28/02 1:46pm

Subject: Microsoft Settlement

To: microsoft.atr@usdoj.gov Subject: Microsoft Settlement

I am a software engineer employed in the computer graphics industry. I am not now, nor have I ever been affiliated with Microsoft or any of its competitors (except, of course, that I use products of both). The opinions and comments expressed are my own.

I believe the settlement proposed by the Justice Department falls far short of what would be in the best interest of the industry and of the public. I am particularly concerned about the ability of Microsoft to effectively destroy certain popular and widely used standards such as OpenGL and Java.

For software developers, such as me, these standards are valuable tools that we use to produce our products. Once they are firmly established and widely used, we can count on them to be available and supported for a variety of platforms and devices over a relatively long period of time. I consider these to be a kind of public asset that help to ensure that different products can communicate and be compatible with each other in various ways.

Microsoft has the ability to erode or destroy these standards (and the motivation to do so) only because of the monopoly it holds on the operating system. In a competitive environment, no OS vendor would voluntarily drop support for widely used and still popular standards such as these, since that would give its competitors an important advantage in the marketplace.

Suppose that the nation's electrical power were largely provided by a single company that was also in the electrical appliance business. This company realizes that by changing the standards for power distribution, it can make it much more difficult for any other company to connect to the power grid, or to produce appliances that will work in the vast majority of homes. I believe that this is in effect what Microsoft would like to do and IS DOING in certain ways.

I fear that Microsoft next plans to target Internet standards, with the aim of making it more difficult for other software and platforms to effectively use the Internet and interact with Windows platforms. For most companies, competitive market pressures would prevent this kind of action, but I believe Microsoft has demonstrated that additional regulatory restrictions are required to restrain a monopoly from such practices.

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